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Attorney for Defendant
ROBERT JAMES HANNA

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

THE UNITED STATES OF AMERICA,

CASE NO. 2:20-CR-00006-KJM

Plaintiff,

V.

ROBERT JAMES HANNA,

**STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE RE: DEFENDANT'S
MOTION PURSUANT TO 28 U.S.C. § 2255**

Defendant.

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under § 2255 was filed on September 8, 2022. ECF No. 41. The undersigned filed a motion to amend the pro se motion with a proposed amended § 2255 motion on September 29, 2023. ECF No. 63.

2. On October 19, 2023, the government filed a motion to dismiss and opposition to Mr. Hanna's motion to amend the pro se § 2255 motion and to Mr. Hanna's pro se § 2255 motion, ECF No. 66.

3. On January 5, 2024, the Court adopted the parties' stipulation to amend the briefing schedule such that defendant's reply to the government's submission is due on March 4, 2024. ECF No. 70.

4. Ms. Radekin has conferred with Mr. Hanna in a scheduled legal call, as he is presently in BOP custody serving his sentence in this case. Ms. Radekin prepared his declaration and has sent it to Mr. Hanna to sign and return to Ms. Radekin via mail. The reply brief is substantially complete; however, Ms. Radekin has not yet received the signed declaration supporting application of the prison mailbox rule, which she intends to attach to the reply brief.

5. The undersigned requests an additional 42 days to ensure she receives the signed declaration in the mail, as communications with inmates at BOP via mail is a slow process.

6. The parties have conferred and agree that a modification of the briefing schedule is warranted for the above reasons. Accordingly, the parties agree to modify the briefing schedule as follows: the reply brief is due **April 15, 2024**.

IT IS SO STIPULATED.

Dated: March 4, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Michele Beckwith
MICHELE BECKWITH
Assistant United States Attorney

Dated: March 4, 2024

/s/ Erin J. Radekin
ERIN J. RADEKIN
Counsel for Defendant
ROBERT JAMES HANNA

ORDER

IT IS SO ORDERED this 8th day of March, 2024.

John A. Nalle